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Paper 23  
Filed: 2 December 2011

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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CARL W. HASTINGS,  
DAVID J. BARNES, AND  
CHRISTINE A. DALE

JUNIOR PARTY  
(APPLICATION 10/781,141),

V.

PAUL T. GARDINER

SENIOR PARTY  
(PATENT 6,136,339).

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PATENT INTERFERENCE NO. 105,824  
(TECHNOLOGY CENTER 1600)

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Before: JAMESON LEE, RICHARD TORCZON, and SALLY GARDNER LANE,  
*Administrative Patent Judges.*

LANE, *Administrative Patent Judge.*

**Judgment – Request for Adverse – Bd. R. 127(b)**

Hasting filed a request for adverse judgment. (Paper 22). The request is granted.

It is

**ORDERED** that judgment on priority as to Count 1, the sole count of the

1 interference, is entered against junior party Hastings;

2 **FURTHER ORDERED** that claims 11-14 and 25-27 of Hastings  
3 application 10/781,141, which claims correspond to Count 1 (Paper 1 at 4), are  
4 **FINALLY REFUSED**, 35 U.S.C. §135(a);

5 **FURTHER ORDERED** that the parties note the requirements of  
6 35 U.S.C. §135(c) and Bd.R. 205; and

7 **FURTHER ORDERED** that a copy of this judgment shall be entered into  
8 the administrative record of the involved Hastings application and the involved Gardiner  
9 patent.

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